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FACSIMILE/TELECOPIER TRANSMISSION

From: Name: Nisan A. Steinberg, Ph.D.; 213 896 6644
Voice Phone: Ann Weiss 213 896 6170

To: Name: Examiner M. Schmidt
Company:
Facsimile #: 703 746 5264
Voice Phone:
Subject: 09/545,428 and 09/488,491

Message:

Dear Examiner Schmidt:

☐ Pursuant to our conversation of today, transmitted herewith are the documents concerning two applications as follows:

1. Re application of Levesque
☐ Serial No.: 09/545,428, Filed April 7, 2000
☐ Our Docket No. CEDAR -44526 (18810-80380)
☐ a. Terminal Disclaimer re 6,087,168 (filed today, by facsimile transmission)

and

2. Re application of: Levesque
☐ Serial No.: 09/488,491, Filed January 20, 2002
☐ Our Docket No.: CEDAR-42638 (18810-80382)
☐ a. Response to Office Action (filed in the USPTO on February 14, 2002)

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|-------|----------|-------|----------|------------------------------|----|
| Date: | 02/25/02 | Time: | 12:52 PM | No. Pages (Including Cover): | 29 |
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Note: If you do not receive all the pages, please call: Ann Weiss 213 896 6170

CEDAR-44526 (18810-80380)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Levesque
 Serial No. 09/545,428
 Filed: April 7, 2002
 For: Transdifferentiation of Transfected Epidermal Basal Cells
 Into Neural Progenitor Cells, Neuronal Cells and/or Glial
 Cells
 Examiner: M. Schmidt
 Unit: 1635

CERTIFICATE OF MAILING BY FACSIMILE

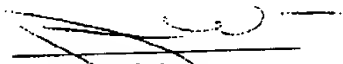
Assistant Commissioner for Patents
 Washington, D. C. 20231

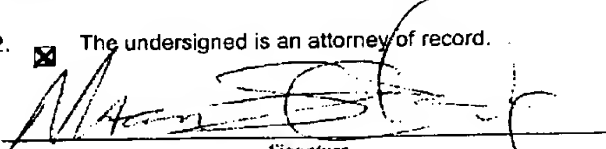
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
 BEING FACSIMILE TRANSMITTED TO EXAMINER M. SCHMIDT
 AT 703/746-5264 IN THE UNITED STATES PATENT AND
 TRADEMARK OFFICE, WASHINGTON, DC 20231, ON

February 25, 2002.

DATE February 25, 2002

BY


 Ann Weiss

| | | | |
|--|-------------------------------------|--------------------------------|--|
| Terminal Disclaimer To Obviate A Double Patenting Rejection Over A Prior Patent | | | Docket No. CEDAR-044526 (18810-80380) |
| In Re Application Of: Levesque et al. | | | |
| Serial No. 09/545,428 | Filing Date April 7, 2000 | Examiner Schmidt, M. | Group Art Unit 1635 |
| Invention: TRANSDIFFERENTIATION OF TRANSFECTED EPIDERMAL BASAL CELLS INTO NEURAL PROGENITOR CELLS, NEURONAL CELLS AND/OR GLIAL CELLS | | | |
| Owner of Record: CEDARS-SINAI MEDICAL CENTER | | | |
| <p style="text-align: center;"><u>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</u></p> <p>The above-identified owner of record of a 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,087,168. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and/or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.</p> <p>Check either box 1 or 2 below, if appropriate.</p> <p>1. <input type="checkbox"/> For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p> <p>2. <input checked="" type="checkbox"/> The undersigned is an attorney of record.</p> <p> Signature</p> <p>Dated: February 25, 2002</p> <p>Nisan A. Steinberg, Ph.D., Reg. No. 40,345 Typed or Printed Name</p> <p><input checked="" type="checkbox"/> Terminal disclaimer fee under 37 C.F.R. 1.20(d) included. <input checked="" type="checkbox"/> PTO suggested wording for terminal disclaimer was unchanged. <input type="checkbox"/> Certification under 37 C.F.R. 3.73(b) is required if terminal disclaimer is signed by the assignee.</p> | | | |